

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Improving Public Safety Communications in the)	
800 MHz Band)	WT Docket No. 02-55
)	
Consolidating the 900 MHz Industrial/Land)	
Transportation and Business Pool Channels)	

**REPLY COMMENTS OF
MARNELL CORRAO ASSOCIATES**

Marnell Corrao Associates (“Marnell”) is in the business of constructing high-rise buildings in the Las Vegas, Nevada area. Over the past few years, Marnell has invested a great deal of time, money and effort in developing its own 800 MHz two-way radio system. Based on this interest in the 800 MHz band, Marnell provided comments in the above referenced docket.

After reviewing the comments of others in the proceeding, one thing is extremely clear. There is no confidence among the experts that a rebanding plan will eliminate the interference problems being experienced by public safety entities. The interference problem is essentially a technical issue. Marnell believes it is telling that Motorola, the largest manufacturer of land mobile equipment and the producer of Nextel’s iDen equipment, does not believe that rebanding will solve the problem. Even many public safety commenters are skeptical as to the long-term benefits of rebanding.

Marnell believes that the only real solution is to move Nextel out of the band. Our understanding is that much of the interference is occurring in the public safety receivers and that rebanding will not significantly dampen that problem. On the other hand, moving Nextel out is a sure-cure to resolve the interference and it places the burden of solving the problem on the entity that is causing the problem. This approach also minimizes the impact on incumbent users and could free up 800 MHz spectrum for more public safety and other industrial uses.

The Commission should not be quick to jump to a rebanding decision just to appear proactive in the process. In Marnell's view, the comments have raised enough questions about the benefits of rebanding that the Commission should abandon the idea. With a majority of the land mobile experts questioning the viability of rebanding, it would be unwise to pursue the option any further. Although the comments did not provide a clear path to determining the correct solution, they certainly lead one to believe that rebanding is a costly and highly disruptive option that has no guaranteed results.

Marnell urges the Commission to look for more positive, long-term solutions, such as, moving Nextel to a new band.

Sincerely,

Rick Colvin
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